

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and

THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 10972 of 2002

Between:

K.Ramarao S/o.Ramappadu
Junior Assistant, Excise Court, Srikakulam.

..... PETITIONER

AND

- 1 The District Judge
Srikakulam
- 2 The Registrar (Admn.)
High Court of A.P. Hyderabad

.....RESPONDENT(S)

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more in the nature of Writ of CERTIORARI calling for the records relating to the order dated 17-4-2001 (D.No.2159/19-4-2001) issued by District Judge, Srikakulam and order Roc.No.1242/2001-C1 (1) dated 15-2-2002 issued by the Registrar (Admn), High Court of A.P. Hyderabad and quash the same and consequently declare that the petitioner is entitled for fixation of Seniority in the cadre of Junior Assistants strictly in conformity with Rule 9 (2) of A.P. Judicial Ministerial Services Rules.

Counsel for the Petitioner:MR.P.VEERA REDDY (Not present)

Counsel for the Respondents: SMT.M.BHASKARA LAKSHMI (SC FOR APHC)

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

None for the petitioner.

Petitioner is questioning the order dated 17-4-2001 passed by the District Judge, Srikakulam and order dated 15-2-2002 passed by the second respondent with prayer to quash the same and declare him entitled for fixation of seniority in the cadre of Junior Assistants in conformity with Rule 9(2) of the A.P. Judicial Ministerial Service Rules. Claim of the petitioner has been disputed by respondents on affidavit in reply filed by the District Judge, Srikakulam. It is stated that the petitioner joined the service on 22-8-1990 and was regularized with effect from 23rd August, 1990. He never objected to the said dates and his claim for being placed above those upto serial No.99 is misconceived. Petitioner had not entered in service in 1983-90. The candidates, whose services were regularized with retrospective effect from the date of their joining on promotion during the period 1983-90, have definitely to rank above the petitioner since the petitioner joined only on 22-8-1990. In this view of the matter, there is no substance in the writ petition, which is accordingly dismissed.

DEVINDER GUPTA, CJ

29-12-2004

M.NARAYANA REDDY, J

tvr

To

- 1 The District Judge
Srikakulam
- 2 The Registrar (Admn.)
High Court of A.P. Hyderabad.
3. The Section Officer, 'C' Section, High Court of A.P., Hyderabad.
4. The Section Incharge, Legal Cell, High Court of A.P., Hyderabad.
- 5 2 CD copies.